

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Pascal Paganon et al.	Confirmation No.:	1036
Appln. No.:	10/598,101	Group Art Unit:	3731
Filed:	April 9, 2008	Examiner:	Not Yet Assigned
Title:	ATRAUMATIC SURGICAL BAND	Atty. Docket No.:	148821.00007
		Customer No.:	25207

Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

Two errors have been identified on the Filing Receipt received in this office for the above-referenced matter.

The city of residence for the second-named inventor should be identified as **Saint Germaine sur l'Arbresle** in the "Applicant(s)" section of the Filing Receipt. A marked-up copy of the Filing Receipt is included for your reference. Also provided is a copy of the Declaration signed by the inventors providing the city of residence for Jean-Paul Gilbert Ricol.

Also, the Filing Receipt should identify **Compagnie Europeenne d'Etude et de Recherche de Dispositifs pour l'Implantation par Laparoscopie** under the "Assignment for Published Patent Application" section of the Filing Receipt. A marked-up copy of the Filing Receipt is included for your reference. Also provided is a copy of the Power of Attorney signed by Jean-Paul Ricol on behalf of Compagnie Europeenne d'Etude et de Recherche de Dispositifs pour l'Implantation par Laparoscopie. Additionally, included is a copy of the Notice of Recordation of Assignment Document evidencing the Assignment of Assignors' Interest from

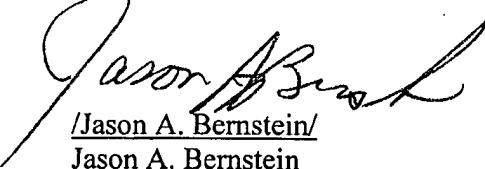
inventors Pascal Paganon and Jean-Paul Gilbert Ricol to Compagnie Europeenne d'Etude et de Recherche de Dispositifs pour l'Implantation par Laparoscopie.

Applicant respectfully requests correction of "Applicant(s)" and "Assignment for Published Patent Application" as shown on the enclosed marked-up copy of the Filing Receipt and requests issuance of a Corrected Filing Receipt.

Thank you for your assistance.

Respectfully submitted,

POWELL GOLDSTEIN LLP

  
Jason A. Bernstein  
Jason A. Bernstein

Reg. No. 31,236

One Atlantic Center, Fourteenth Floor  
1201 West Peachtree Street, NW  
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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
10/598,101	04/09/2008	3731	670	148821.00007	21	2

CONFIRMATION NO. 1036

FILING RECEIPT



OC000000030602851

25207

POWELL GOLDSTEIN LLP  
ONE ATLANTIC CENTER FOURTEENTH FLOOR  
1201 WEST PEACHTREE STREET NW  
ATLANTA, GA 30309-3488

Date Mailed: 06/25/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt Incorporating the requested corrections.

Applicant(s)

Pascal Paganon, Serezin du Rhone, FRANCE; → L'ARBRESLE  
Jean-Paul Gilbert Ricol, Saint Germain sur [l'Abresle] FRANCE;

Assignment For Published Patent Application

[Jean-Paul Ricol] → COMPAGNIE EUROPEENNE D'ETUDE ET DE RECHERCHE

Power of Attorney: The patent practitioners associated with Customer Number 25207 DE DISPOSITIFS POUR

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/FR2005/000387 02/18/2005

L'IMPLANTATION PAR

LAPAROSCOPIE

Foreign Applications

FRANCE 0401684 02/19/2004

If Required, Foreign Filing License Granted: 06/20/2008

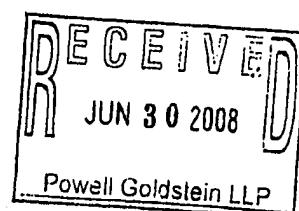
The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 10/598,101

Projected Publication Date: 10/02/2008

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*



**Title**

Atraumatic Surgical Band

**Preliminary Class**

606

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an International patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce Initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

### **LICENSE FOR FOREIGN FILING UNDER**

**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

Declaration Submitted With Initial Filing      OR       Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

Attorney Docket Number	14821.00009
First Named Inventor	PAGANON, Pascal
<b>COMPLETE IF KNOWN</b>	
Application Number	10/598,092
Filing Date	August 17, 2005
Art Unit	TBA
Examiner Name	TBA

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the Inventor(s) named below to be the original and first Inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

POUCH-EQUIPPED INTRAGASTRIC BALLOON

(Title of the Invention)

the specification of which

 Is attached hereto

OR

 was filed on (MM/DD/YYYY) 02/18/2005 as United States Application Number or PCT InternationalApplication Number PCT/FR2005/000388 and was amended on (MM/DD/YYYY) 08/17/2006 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
0401730	FR	02/20/2004	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

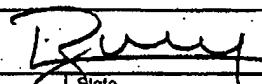
 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to:		<input checked="" type="checkbox"/> The address associated with Customer Number:	25207	OR <input type="checkbox"/> Correspondence address below
Name Jason A. Bernstein				
Address Powell Goldstein LLP, One Atlantic Center, 14th Floor, 1201 West Peachtree Street, NW				
City Atlanta	State Georgia	ZIP 30309-3488		
Country United States	Telephone 404-572-6900	Email jbernstein@pogolaw.com		
<b>WARNING:</b> Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.				
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) PASCAL		Family Name or Surname PAGANON		
Inventor's Signature 			Date 30/03/07	
Residence: City Serezin du Rhone	State 	Country France	Citizenship French	
Mailing Address Residence des Hautes-Terres 12, rue des Carrières				
City Serezin du Rhone	State	Zip 69360	Country France	
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the <u>1</u> supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.				

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION</b>		<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet	
Page 1 of 1			
<b>Name of Additional Joint Inventor, If any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
JEAN-PAUL GILBERT		RICOL	
Inventor's Signature		Date 2 Avril 2007	
Saint Germain sur l'Arbresle Residence: City	State	France Country	French Citizenship
Hameau Le Glay			
Mailing Address			
Saint Germain sur l'Arbresle City	State	69210 Zip	France Country
<b>Name of Additional Joint Inventor, If any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country
<b>Name of Additional Joint Inventor, If any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to be had by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-767-9199) and select option 2.

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/598,092
Filing Date	August 17, 2008
First Named Inventor	PAGANON, Pascal
Title	POUCH-EQUIPPED INTRAGASTRIC...
Art Unit	TBA
Examiner Name	TBA
Attorney Docket Number	148821.00008

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

- Practitioners associated with the Customer Number:

25207

OR

- Practitioner(s) named below:

Name	Registration Number
Jason A. Bernstein	31,236
Laurence P. Colton	33,371
Charles L. Warner, II	32,320
Nigamnareyan Acharya	54,953

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

- The address associated with the above-mentioned Customer Number:

OR

- The address associated with Customer Number:

OR

Firm or  
Individual Name

Address

City

State

Zip

County

Telephone

Email

I am the:

- Applicant/Inventor.

- Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	04/04/07
Name	Jean-Paul NICOL	Telephone	04 74 16 18 18

Title and Company: *COMMISSIONNÉ EUROPEENNE d'Etude et de Recherche de Dispositifs pour l'implantation par Laparoscopie*  
*(E.C.E.D.R.) DE LA CHAMBRE DES DIRECTEURS*

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below..

Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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USPTO

2/12/2008 2:45:19 PM PAGE 2/005 Fax Server

TO: JASON A. BERNSTEIN COMPANY: 1201 W. PEACHTREE ST. NW



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE



FEBRUARY 08, 2008

\*500458628A\*

PTAS

JASON A. BERNSTEIN  
1201 W. PEACHTREE ST. NW  
ONE ATLANTIC CENTER - 14TH FLOOR  
ATLANTA, GA 30309

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 02/07/2008

REEL/FRAME: 020476/0757

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).  
DOCKET NUMBER: 148821.00007

ASSIGNOR:

PAGANON, PASCAL

DOC DATE: 03/30/2007

ASSIGNOR:

RICOL, JEAN-PAUL GILBERT

DOC DATE: 04/02/2007

ASSIGNEE:

COMPAGNIE EUROPEENNE D'ETUDE ET DE  
RECHERCHE DE DISPOSITIFS POUR  
L'IMPLANTATION PAR LAPAROSCOPIE  
RUE DES FRERES LUMIERE  
Z.A. DU CHATEAU DE MALISSOL  
VIENNE, FRANCE F-38200

SERIAL NUMBER: 10598101

FILING DATE:

PATENT NUMBER:

ISSUE DATE:

TITLE: ATRAUMATIC SURGICAL BAND

USPTO

2/12/2008 2:45:19 PM PAGE 3/005 Fax Server

TO: JASON A. BERNSTEIN COMPANY: 1201 W. PEACHTREE ST. NW

020476/0757 PAGE 2

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PUBLIC RECORDS DIVISION